

**VILLAGE OF BURBANK
REGULAR MEETING, JULY 6, 2021**

Mayor David Wilkinson, called the meeting to order at 8:04 PM.

A roll call was taken with the following officials present: Chris Norton, Dennis Rigerman, Ken Dibler, Danual Priebe, Thomas Lenhoff; also, in attendance: Allan Michelson – Solicitor, Gary Harris – Fiscal Officer and visitors Lori Menk, Cathy Kopp, Terry Moore, Marti McCord, Jeremy Musser and Hannah Berger.

Mayor Wilkinson welcomed our guests.

2022 Budget Hearing

Gary asked if there were any questions or comments from our residents who are attending about the 2022 Budget – Lori Menk asked to see the proposed Budget and a copy was given to her for review – Gary advised Council on the changes that he made to the budget based on the actual appropriations through June of 2021; he added \$800 to Council Salaries for Special Meetings, added \$100 to Dues and Fees, added \$2,000 to Repairs & Mtc., added \$108 to Debt (for Henrietta St) and added \$1,000 to Other Financial Uses which adjusts our 2022 carryover from \$41,717.71 down to \$37,709.71 – no other changes were made – Gary asked if any resident or Council member has any questions or comments – none were offered – Gary asked if he can **have a motion Authorizing the Fiscal Officer to proceed to submit the 2022 Budget To the Wayne County Auditor’s Office, Chris said “so moved”, seconded by Dennis. Vote; 5 ayes, 0 nays**

This concluded the Budget Hearing.

REGULAR COUNCIL MEETING

Ken made a motion to excuse Ben Berger, seconded by Chris. Vote - 5 ayes, 0 nays

Minutes – June 3rd Regular Meeting Minutes

Chris made a motion to waive the readings and to approve the submitted June Regular Meeting Minutes, seconded by Dan. Vote; 5 ayes, 0 nays

Council Reports:

Safety

Ken and Chris reporting:

- read the June Sheriff's Report
- Gary recommended that the Mayor or one of the Safety Chair persons contact Sheriff Hutchinson about patrol hours in Burbank – per the current contract the Village requested 80 Hours of Patrol in May and 110 Hours of Patrol in June - from May 23rd to June 19th only 19.5 hours were provided versus 95 hours that should have been provided or 80% short of the hours requested – he stated that this is a serious issue for our residents (lack of patrol during the summer months) and it is a serious issue for the Police Levy that was just passed to finance the patrol hours we are requesting – the Village can be cited for insufficient use of Levy funds on our next audit if this continues – Chris offered to contact the Sheriff's Office and Gary is to forward the Hours Report

Finance

Ken and Thomas reporting:

- read the July Paid Bills and the Automatic Deductions amounting to \$7,610.02;
Ken made the motion to accept these payments, seconded by Chris. Vote - 5 ayes, 0 nays.

Gary reporting:

- reported that he was scheduled to attend the June 24th webinar on the American Recovery Plan Act for Non-Entitlement Subdivisions hosted by the Ohio Office of Budget and Management, but due to experiencing log-on problems he missed too much of the webinar to be able to report on specific details for our Village - he did report that due to recent changes in the distribution of ARPA funds and the inclusion of Townships, everyone's level of funding has dropped, our potential funding (for Broadband) dropped from \$38,800 down to \$20,740 (47% reduction); reported that he is now waiting for the recording of the webinar to be released – any questions or comments – none were offered
- confirmed that the PEP Grant Application was submitted on June 2nd to replace the sodium lights and timers in the Park with new LED's and new timers – PEP has received the Application and he is now waiting on notice of award – once awarded he will then proceed to obtain 3 bids in an effort to get the best pricing possible – any questions or comments – none were offered
- reported that we have three Resolutions to vote on tonight as pertains to the General Fund Levies – Allan did the first reading of Resolution R2021-03, “a Resolution declaring it necessary to levy a renewal of a 3 Mill tax in excess of the ten-mill limitation”
- **Chris made the motion to waive the 2nd and 3rd readings of Resolution R2021-03, seconded by Dan. Vote; 5 ayes, 0 nays**
- **Chris made a motion to adopt Resolution R2021-03, seconded by Ken. Vote; 5 ayes, 0 nays**

- Allan did the first reading of Resolution R2021-05, “a Resolution declaring it necessary to levy a renewal of a 4 Mill tax in excess of the ten-mill limitation”
- **Ken made the motion to waive the 2nd and 3rd readings of Resolution R2021-05, seconded by Chris. Vote; 5 ayes, 0 nays**
- **Chris made a motion to adopt Resolution R2021-05, seconded by Ken. Vote; 5 ayes, 0 nays**
- Allan did the first reading of Resolution R2021-06, “a Resolution declaring it necessary to levy a renewal of a 3 Mill tax in excess of the ten-mill limitation”
- **Chris made the motion to waive the 2nd and 3rd readings of Resolution R2021-06, seconded by Dan. Vote; 5 ayes, 0 nays**
- **Chris made a motion to adopt Resolution R2021-06, seconded by Ken. Vote; 5 ayes, 0 nays**
- reported that we need vote on an Ordinance to “clean-up” \$108 of remaining monies in the Front Street Storm Sewer Project and return these monies to the General Fund - Allan did the first reading of Ordinance 2021-10, “an Ordinance approving amending the Certificate of Estimated Resources for the General Fund and the transfer of funds from the Front Street Storm Sewer Fund to the General Fund and declaring this an emergency for the public peace, health, safety and welfare”
- **Dan made the motion to waive the 2nd and 3rd readings of Ordinance 2021-10, seconded by Chris. Vote; 5 ayes, 0 nays**
- **Dan made a motion to adopt Ordinance 2021-10 as an emergency, seconded by Dennis. Vote; 5 ayes, 0 nays**
- reported that In June he was advised by OPWC that we need to begin making payments against the loan for Henrietta and Hower Streets starting July 1st; reported that he went back to OPWC, reviewed the Project Costs with them and stated to OPWC that his understanding based on his discussion with our OPWC Representative was that since the project came in under budget and no loan monies were needed that the Village did not owe anything on this project; stated that he was then informed that OPWC requires a minimum of 10% investment by subdivisions and that the Village would owe \$23,115.48 over 30 years = \$770/yr, he confirmed that OPWC agreed to have us only pay \$3,240 over 30 years = \$108/yr or an 86% reduction in costs that amounted to nearly a \$20,000 (\$19,875 exact) reduction in monies owed; he confirmed making the first payment of \$54 and that the next payment will be in December - he stated that at some point in time he may ask Council for approval to “pay-off” this debt in full but is waiting to see what costs we will incur for snow plowing and salting this year based on last year’s cost for these services - he asked if there were any questions or comments - none were offered
- confirmed that on June 9th he sent all of Council the results of his discussion with the Cleveland Indians on a possible Grant for the Burbank baseball field upgrades and he also confirmed that he sent copies of the blank Application to Council showing the maximum amount of the grant at \$5,000 and all of the financial details that would need to be finalized at the time the Application is filled out; the bottom line is that this means that a way has to be found to fund the remaining \$65,000 based on the estimate provided to

us at last month's meeting by Mr. Cotton; he stated that in his opinion, the Village cannot afford to fund this amount as we have infrastructure in need of replacement and there is not enough time, yet this year, to finalize all of the financial details and submit the application - Mayor Wilkinson thought that perhaps some work could be done yet this year between private donations and Village participation and he offered to discuss this with Mr. Cotton

- confirmed that he did investigate adding Parking Spaces on Front Street and that per a quote, from the engineer, it will cost \$28,600 at the maximum with a chance of obtaining a lower cost at the time of bidding the work which involves removing and then remarking the centerline, removing and then installing new pavement reflectors, traffic maintenance, break-off posts and signs for parking plus engineering design & oversight while meeting ODOT requirements - he asked if there were any questions or comments - Council asked that he contact Sandy Jennings who requested this investigation and report his findings to her and that we have tabled this project at this time

Parks

Dennis and David reporting:

- ❖ David confirmed that he worked with the Community Service Juvenile for 3 hours last month cleaning-up debris on the hill behind Village Hall where Climbing Hy Tree Service had removed the fallen tree
- ❖ reported that the Storage Shed behind Village Hall has a hole in the roof - Gary offered to obtain bids to correct this
- ❖ Mayor Wilkinson asked about the naming of the ballfield and its status - Allan reported that he had a Resolution available and proceeded to do the First Reading of Resolution R2021-04, "a Resolution naming the ball field in the Burbank Park the Norma Buckingham Memorial Field in recognition of the contributions of Norma Buckingham to the baseball and softball programs of the Village of Burbank and years of service" - Chris recommended that we do all three readings to allow for public input before voting on this legislation - Council concurred

Water & Sewer

Dennis and Dan had nothing to report.

Streets

Chris had nothing to report.

- Mayor Wilkinson stated that he had received a bid from Buckeye Sealcoating for pot-hole repairs on W. Middle and Diagonal at a cost of \$8,950.00 or \$27,565.00 to grind and overlay on Diagonal + do pot-hole repairs on W. Middle
- Gary confirmed that the email bids he sent out on May 19th to two snow plowing contractors never delivered even though neither email "bounced back" - he resent bid documents to both companies on July 5th with a target of receiving bids on or before August 1st - if the costs look too high, Gary asked for a

“motion authorizing the Fiscal Officer to place an ad in the newspaper soliciting bids for this contract to snow plow and salt, motion was so moved by Chris and seconded by Dennis. Vote; 5 ayes, 0 nays

Zoning

Thomas and Dan had nothing to report.

- Allan provided updates on the two projects that he is involved with - 141 Water Street has a pre-trial conference date set for July 27th - 133 Water Street is about 99% certain to be awarded a FEMA Grant and we expect to hear sometime in August
- Mayor Wilkinson asked Gary to review with Council the status of the Memorial Tree Planting option now under consideration - Gary stated that he sent all of Council his summary of the meeting with the Forester that included the types of trees, planting recommendations and services offered - he also stated that he did not receive any further communication from past Mayor Dibler who wanted to generate a “process” defining costs, responsibilities and “how to” proceed
-

New Business:

Gary reporting:

- ✓ confirmed the next Council meeting will be Thursday, August 5th at 8:00 PM
- ✓ confirmed depositing \$0.00 for May Traffic Fines as no citations had been issued
- ✓ **Dan made a motion to elect Chris Norton as President of Council, seconded by Ken. Vote 5 ayes, 0 nays**
- ✓ Mayor Wilkinson stated that we have two candidates willing to join Council - Allan asked both to tell Council about themselves before Council votes between the two candidates after confirming that both met the resident/voting requirements - Hannah Berger stated that she would be willing to serve on Council and this would be her first time on Council - Marti McCord stated that she works for Creston as the Clerk of Courts, Allan stated that this would not be a conflict of interest, and she also stated that she has lived 10 years in the Village - each Council member voted on paper, turned the votes over to Allan who read the results - 1 vote for Hannah and 4 votes for Marti
- ✓ Allan swore in Marti McCord to Council who fills the seat vacated by David Wilkinson when he moved into the Mayor’s position; Marti took her seat at the Council Table and business proceeded

Old Business:

Gary had nothing to report.

- Chris reviewed the difficulty that Council has had in recruiting Council members and brought up the idea of governing via a Commission that was previously brought-up a few months ago - he stated that he personally did not want to see the Village merge with the Township thus losing Village self-

rule - Allan reviewed the steps involved - first an Ordinance to be passed allowing the process to begin - second a petition that requires 10% of the voters to respond of those who voted in the last Governor's election to see if the residents agree with this change, the Petition is then submitted to the Board of Elections to confirm valid signers - third a Special Election is held and the three with the most votes become the Commissioners and the person with the most votes is the Lead Commissioner; Allan stated that this could go into effect January 1, 2022 or 2023

- **Chris made a motion to have Allan start the process to go to a 3 Person Commission form of governing, seconded by Dan. Vote; 6 ayes, 0 nays**

Public Comment:

- visitor Lori raised concerns about the grate across from her house and next to a pole located at 117 W. Middle Street, where a large hole has formed - Chris offered to see if he could find a contractor who could do the work and Gary offered to contact past contractors to see if he can obtain a bid price
- visitor Cathy announced a Village wide Garage Sale on August 21st from 9:00 AM to 4:00 PM

There being no further business to come before Council, Chris made a motion to adjourn at 9:18 PM, seconded by Ken. Vote; 6 ayes, 0 nays

X

Mayor, David Wilkinson

X

Fiscal Officer, Gary Harris